

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

CONNIE R. HUNDLEY, individually
and on behalf of all others
similarly situated,

Plaintiff,

v.

Civil Action No. 2:16-cv-12428

AIR EVAC EMS, INC., d/b/a AirMedCare Network;
MED-TRANS CORPORATION; and
MATTHEW ELLIS,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending is plaintiff's motion for class certification,
filed October 16, 2017.

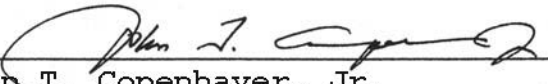
Plaintiff Hundley seeks to represent a class defined
as: "All West Virginia consumers who purchased or renewed a
membership from Defendant Air Evac from July 25, 2012 to the
date of certification." Mot., ECF #78. Ms. Hundley does not
seek class certification for all her claims, but only that under
the West Virginia Consumer Credit and Protection Act ("WVCCPA").
Memo. in Support, ECF # 79 at 2 n.1 ("Ms. Hundley is not seeking
to certify her other claims, including her claim for common law
bad faith or her claims for breach of contract against Air Evac
and Defendant Med-Trans Corporation.").

The court this day entered a memorandum opinion and order in response to defendants' motions to dismiss, filed December 29, 2016 and February 2, 2017. The court therein dismissed plaintiff's WVCCPA claim. Accordingly, the claim for which plaintiff seeks to certify her class has been dismissed and her motion is moot.

It is, therefore, ORDERED that the plaintiff's motion for class certification be, and it hereby is, denied as moot.

The Clerk is directed to transmit a copy of this order to all counsel of record and any unrepresented parties.

ENTER: March 29, 2019



John T. Copenhaver, Jr.
Senior United States District Judge